

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIAN GLAUSER,

Plaintiff(s),

No. C 11-2584 PJH

v.

**ORDER**

TWILIO, INC. , et al.,

Defendant(s).

Before the court is plaintiff's notice of decision by the Federal Communications Commission ("FCC") in which he requests that the court lift the stay imposed pursuant to the primary jurisdiction doctrine on January 27, 2012, at least as to defendant GroupMe. Defendant construes the "notice" as a motion for administrative relief and opposes it. For the reasons advanced by GroupMe, the court is not inclined to lift the stay as to one defendant but not the other, and accordingly DENIES the motion. Additionally, because one of the reasons for the stay pertains to the liability of co-defendant Twilio and the petition on that issue still remains before the FCC, the stay remains in effect. If GroupMe's petition for expedited declaratory ruling and clarification is acted on during the period of the stay, the parties shall bring it to the court's attention; however, the instant ruling is not based on GroupMe's filing of the subsequent petition. For now, the stay remains based solely on the remaining of the two grounds for its initial imposition.

**IT IS SO ORDERED.**

Dated: March 15, 2012



PHYLLIS J. HAMILTON  
United States District Judge